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Attorneys for Plaintiff WILLIAM A.  
 THAYER CONSTRUCTION, INC.

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

WILLIAM A. THAYER  
 CONSTRUCTION, INC.,

Plaintiff,

v.

NORTH AMERICAN CAPACITY  
 INSURANCE COMPANY, and DOES 1-  
 10,

Defendant.

**CASE NO:** CV10-01019 LHK ADR

**JOINT STIPULATED MOTION TO  
 AMEND CURRENT DISCOVERY PLAN**

Judge: Hon. Lucy H. Koh

Dept.: 4

Complaint Filed: 02/10/2010

Trial Date: 07/11/2011

Pursuant to F.R.C.P. 16(b) and Civil L. R. 16-10 and 7-12, plaintiff WILLIAM A. THAYER CONSTRUCTION, INC. (hereinafter "THAYER") and defendant NORTH AMERICAN CAPACITY INSURANCE COMPANY (hereinafter "NAC"), submit the following Joint Stipulated Motion to Amend Current Discovery Plan as follows:

On November 11, 2010, this court issued a Minute Order and Case Management Order setting forth various dates regarding the discovery in this action (Doc. 27). With regard to this Joint Stipulated Motion, the expert disclosure deadline is currently set for January 10, 2011, while the rebuttal expert disclosure deadline is currently set for January 24, 2011.

As a result of some outstanding responses to discovery requests, the parties require additional time to review certain production of documents that will be forthcoming before the end of the year. These documents will likely need to be turned over to potential experts for review in preparation to

1 formulate their opinions for disclosure on the given expert deadlines. Because the parties would like  
 2 to allow the experts adequate time to evaluate such forthcoming documents, the parties request that  
 3 this court move the expert disclosure deadline fourteen (14) days to January 24, 2011, and also move  
 4 the rebuttal expert disclosure deadline fourteen (14) days to February 7, 2011. All other previous  
 5 deadlines would stay in tact, including the discovery cutoff (February 28, 2011), dispositive motion  
 6 deadlines (March 17, 2011), pre-trial conference date (May 25, 2011) and the jury trial date (July 11,  
 7 2011).

8 The parties believe that moving the expert disclosure and rebuttal deadlines fourteen (14)  
 9 days will not affect either party nor the court's already established deadlines set forth above.

10 In light of the above, THAYER and NAC respectfully request the discovery plan be altered  
 11 to reflect the new dates set forth above for the expert disclosure and rebuttal expert disclosure.

12  
 13 Dated: 12/21/10

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 McCORMICK & GRAHAM LLP

14  
 15 BY: 

16 MARK VRANJES  
 17 MICHAEL B. MARTIN  
 18 TODD E. JAWORSKY  
 Attorney for Defendant NORTH AMERICAN  
 CAPACITY INSURANCE COMPANY

19  
 20 Dated: \_\_\_\_\_

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21  
 22 BY: \_\_\_\_\_

23 JACK KENEALY  
 24 CECILIA MODELMOG  
 Attorney for Plaintiff WILLIAM A. THAYER  
 CONSTRUCTION, INC.

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 26 S:\Cases\2166083\pld\jt stip mot amend disc plan 01.wpd  
 27  
 28

1 Dated: 12-21-10

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2  
3 BY: 

JACK KENEALY

4 CECILIA MODELMOG

5 Attorney for Plaintiff WILLIAM A.  
THAYER CONSTRUCTION, INC.

6 Pursuant to the parties' stipulation, the discovery deadlines are modified as set forth above.

7 IT IS SO ORDERED.

8  
9 December 22, 2010

10 Date



11 Honorable Lucy H. Koh  
United States District Judge